



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,322	12/29/2000	Rob Sullivan	10559/197001/P8369	9163

20985 7590 12/22/2003

FISH & RICHARDSON, PC  
12390 EL CAMINO REAL  
SAN DIEGO, CA 92130-2081

EXAMINER
----------

SMITH, SHEILA B

ART UNIT	PAPER NUMBER
----------	--------------

2681

DATE MAILED: 12/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/751,322

Applicant(s)

SULLIVAN ET AL.

Examiner

Sheila B. Smith

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 18-22 is/are allowed.
- 6) ☒ Claim(s) 1-17, 23-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-<sup>17</sup>~~18~~, 23-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Partos et al. (U. S. Patent Publication 2002/0023006).

***Regarding claims 1 - 4***, Partos et al. discloses essentially all the claimed invention as set forth in the instant application, further Partos et al. discloses system and method of electronic commerce. In addition Partos et al. discloses a method comprising: receiving an electronic order from a first party (which reads on “a means to receive customer information and order information from a customer's terminal” page 2 paragraph [0011]); receiving information about the first party (which reads on “the customer has to disclose his or her name, address or other personal information to the seller for transaction” page 1 paragraph 0004); a transmitting the order to a second party; transmitting less information about the first party to the second party than was received (which reads on a means to input customer information and order information that serves to specify a transaction item or transaction items page 2 paragraph 0011); and transmitting a voucher to the second party (which reads on “transmitting means 12 to transmit confirmation information to the customer's terminal” page 2 paragraph 0043).

Art Unit: 2681

***Regarding claims 2,8*** Additionally Partos et al. discloses transmitting no information about the first party to the second party (which reads on a means to input customer information and order information that serves to specify a transaction item or transaction items page 2 paragraph 0011).

***Regarding claims 3, 9*** Additionally Partos et al. discloses 3. The method of claim 1, further comprising transmitting selected information about the first party to the second party, wherein transmission of the selected information is authorized by the first party (which reads on page 1 paragraph 0004).

***Regarding claims 4, 10*** Additionally Partos et al. discloses comprising retrieving information from a database concerning the first party, and selecting information about the first party for transmission to the second party based on the retrieved information (which reads on page 1 paragraph 0004).

***Regarding claims 5,11*** Additionally Partos et al. discloses retrieving records from a database concerning the first party comprises retrieving directives describing the information to be withheld from the second party (which reads on page 1 paragraph 0004).

***Regarding claims 6, 12*** Additionally Partos et al. discloses receiving information about the first party comprises receiving information about the first party from a subscriber identity module (which reads on page 1 paragraph 0004).

***Regarding claims 7***, Partos et al. discloses essentially all the claimed invention as set forth in the instant application, in addition Partos et al. discloses a article comprising a computer-readable medium which stores computer-executable instructions for receiving and transmitting information (which reads on “the term "electronic commerce" mentioned in this specification means a commercial transaction conducted through an electronic network by using an information processing device, such as a personal computer, a server, a cellular phone” page 1 paragraph 0002), the instructions causing a machine to, receiving an electronic order from a first party (which reads on “a means to receive customer information and order information from a customer's terminal” page 2 paragraph [0011]); receiving information about the first party (which reads on “the customer has to disclose his or her name, address or other personal information to the seller for transaction” page 1 paragraph 0004); a transmitting the order to a second party; transmitting less information about the first party to the second party than was received (which reads on a means to input customer information and order information that serves to specify a transaction item or transaction items page 2 paragraph 0011); and transmitting a voucher to the second party (which reads on “transmitting means 12 to transmit confirmation information to the customer's terminal” page 2 paragraph 0043)

***Regarding claims 13-17***, Partos et al. discloses essentially all the claimed invention as set forth in the instant application, in addition Partos et al. discloses a system comprising: a processor and a database, wherein the processor is configured to receive information about a first party (which reads on “information processing apparatuses, such as computers or servers, and includes a database management means 11, a transmitting means 12, a receiving means 13”

Art Unit: 2681

disclosed on page 2 paragraph 00026), wherein the processor is configured to receive an electronic transactional order from the first party, wherein the processor transmits the order to a second party (which reads on “its principal function is to convey an order or a request for service from a customer to a seller or convey a seller's response to a request for service or other information to a customer” disclosed on page 2 paragraph 00026), and wherein the database includes information about the first party and directives describing the information about the first party to be transmitted to the second party (which reads on page 2 paragraph 0011).

***Regarding claims 23-25,*** Partos et al. discloses essentially all the claimed invention as set forth in the instant application, in addition Partos et al. discloses a method comprising: placing an electronic order with a second party on behalf of a first party (which reads on page 2 paragraph [0011]; and providing information about the first party to the second party (which reads on page 2 paragraph 0011); wherein the amount of information provided is a function of consideration from the second party (which reads on a means to input customer information and order information that serves to specify a transaction item or transaction items page 2 paragraph 0011).

***Regarding claims 26 - 28,*** Partos et al. discloses essentially all the claimed invention as set forth in the instant application, in addition Partos et al. an article comprising a computer-readable medium which stores computer-executable instructions for receiving and transmitting information (which reads on “the term “electronic commerce” mentioned in this specification means a commercial transaction conducted through an electronic network by using an information processing device, such as a personal computer, a server, a cellular phone” page 1

Art Unit: 2681

paragraph 0002), the instructions causing a machine to placing an electronic order with a second party on behalf of a first party (which reads on page 2 paragraph [0011]; and providing information about the first party to the second party (which reads on page 2 paragraph 0011); wherein the amount of information provided is a function of consideration from the second party (which reads on a means to input customer information and order information that serves to specify a transaction item or transaction items page 2 paragraph 0011)

***Allowable Subject Matter***

2. Claims 18-22 are allowed.

***Claim 18*** is allowed. The following is an examiner's statement of reasons for allowance:

The prior art of record considered alone or in combination neither anticipates nor renders obvious a first party interface coupled to the network; a second party interface coupled to the network; and s an anonymizer, comprising a processor, a database and a communication interface, the anonymizer coupled to the network by the communication interface, a wherein the anonymizer receives information about a first party, the anonymizer receives an electronic order placed on the network through the first party interface, in the anonymizer is configured to transmit the order to the second party interface, and the anonymizer is configured to transmit less information about the first party to the second party interface than was received.

The prior art of record provided numerous teachings of e-commerce. However, the prior art of record failed to specifically disclose the anonymizer receives an electronic order placed on the network through the first party interface, in the anonymizer is configured to

Art Unit: 2681

transmit the order to the second party interface, and the anonymizer is configured to transmit less information about the first party to the second party interface than was received.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (703)305-0104. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 703-305-4040. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-0104.

S. Smith  
December 15, 2003

  
**SINH TRAN**  
**PRIMARY EXAMINER**